

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:21-CV-00246-FDW-DSC

ELETROLUX HOME PRODUCTS, INC. *et al.*,
Plaintiffs,
vs.
NATIONAL TRADE SUPPLY, LLC,
Defendant.


ORDER

THIS MATTER is before the Court *sua sponte* regarding the status of this case. On May 31, 2022, the parties filed their initial Notice of Settlement, (Doc. No. 38), notifying the Court that the parties reached a settlement in principle and “expect[ed] to file a joint dismissal with prejudicial of all claims by June 30, 2022”. Based on this Notice of Settlement, the Court notified the parties that an agreement for entry of judgment or a stipulation of dismissal was to be filed within thirty days, up to and including June 30, 2022, or the Court would dismiss the case without prejudice. (See Doc. No. 38). On June 30, 2022, the parties filed a Supplemental Notice of Settlement, (Doc. No. 39), notifying the Court that the “parties [were] nearing the completion of a formal agreement but need additional time to finalize certain terms of the agreement.” The parties also notified the Court that they intended to file the dismissal with prejudice of all claims by July 29, 2022. (See Doc. No. 39). The Court accordingly reset the case settlement deadline to August 1, 2022. On July 29, 2022, the parties filed a third Notice of Settlement, (Doc. No. 40), which substantively duplicates the language set forth in the parties’ previously filed notices of settlement. Finding no reason to again extend the case settlement deadline in this matter, the Court entered an Order on August 2, 2022, giving the parties through the end of the day to file an

agreement for entry of judgment or a stipulation of dismissal and notifying the parties that the failure to file such documents would result in the Court dismissing the case without prejudice. As of the entry of this Order, the parties have not filed either an agreement for entry of judgment or a stipulation of dismissal. Accordingly, the Court hereby orders this matter to be DISMISSED without prejudice to the right of any party to reopen the case if the settlement is not consummated within twenty-eight (28) days.

IT IS SO ORDERED.

Signed: August 3, 2022


Frank D. Whitney
United States District Judge

